



General Assembly

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Fifty-third session

Sixth Committee

Agenda item 149 (b)

**United Nations Decade of International Law: progress in the action
dedicated to the 1999 centennial of the first International Peace
Conference and to the closing of the United Nations Decade of
International Law**

Netherlands and Russian Federation: draft resolution

**Action dedicated to the 1999 centennial of the first
International Peace Conference and to the closing of the
United Nations Decade of International Law**

The General Assembly,

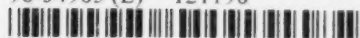
Reaffirming once again the commitment of the United Nations and its Member States, as well as the States parties to the Statute of the International Court of Justice, to the goals of the United Nations Decade of International Law, expressed by the General Assembly in resolutions under that item of its agenda,¹

Mindful of the long and well-established tradition of progressive development and codification of international law, marked by the first and the second International Peace Conference, held at The Hague in 1899 and 1907 respectively,

Recalling that the third International Peace Conference, scheduled to be held at The Hague in 1915, was not held because of the outbreak of the First World War the previous year,

Recalling also the proposal by the Russian Federation for a third international peace conference with a view to considering international law and order in the post-cold-war world at the threshold of the twenty-first century, referred to in General Assembly resolution 51/159 of 16 December 1996, and the initiatives undertaken by the Russian Federation and the Kingdom of the Netherlands with regard to the commemoration of the first International Peace Conference,

¹ Notably resolution 44/23, 51/157 and 52/153.



Noting with satisfaction that the realization the programme of action dedicated to the centennial of the first International Peace Conference, presented by the Netherlands and the Russian Federation,² is consistent with the goals of the United Nations Decade of International Law,

Noting in this respect that meetings of the Friends of 1999, held at The Hague, at Moscow and in New York in 1997 and 1998, further contributed to the substantive content of the programme of action,

Noting also the preliminary reports on the themes of the centennial of the first International Peace Conference,

Expressing its gratitude to the rapporteurs and all organizations, groups and individuals who contributed to the discussion of the centennial themes,

Bearing in mind the progress report and the agenda of the commemorative meetings to be held at The Hague and St. Petersburg,³

Noting that the conclusions of action pertaining to the centennial of the first International Peace Conference will be submitted to the General Assembly for consideration at the closing of the Decade of International Law,

Noting also that the programme of action does not entail budgetary implications for the United Nations,

1. *Welcomes* the progress made in realization of the programme of action, presented by the Governments of the Netherlands and the Russian Federation,⁴ which aims at contributing to the further development of the themes of the first and the second International Peace Conference and could be regarded as a third international peace conference;

2. *Encourages:*

(a) The Governments of the Russian Federation and the Netherlands to continue with the implementation of the programme of action;

(b) All States to participate in the activities set out in the programme of action, as well as to initiate such activities and to coordinate their efforts in this respect at the global level, as well as at the regional and national levels;

(c) All States to take appropriate measures to ensure universal participation in the activities pursuant to the programme of action, with special consideration for the participation of representatives of the least developed countries;

3. *Encourages also* States, competent United Nations organs, subsidiary organs, programmes and specialized agencies, including the International Court of Justice, the International Law Commission and the Secretariat, other international organizations, non-governmental organizations, groups and individuals:

(a) To continue to contribute to the discussions on the themes of the commemoration of the centennial of the First International Peace Conference on the basis of the preliminary reports;

(b) To consider participation in the activities envisaged in the programme of action and to contribute to work towards meaningful conclusions of the debates on the themes of the centennial of the International Peace Conference;

² A/C.6/52/3, annex

³ See A/C.6/53/10, annex, and A/C.6/53/11.

⁴ A/C.6/52/3

4. *Requests* the Governments of the Netherlands and the Russian Federation to prepare reports on the conclusion of the centennial celebrations at The Hague and St. Petersburg for submission to the General Assembly at its fifty-fourth session with a view to their consideration at the closing of the United Nations Decade of International Law;

5. *Requests* the Secretary-General to ensure consistency between the activities of the Organization relating to the closing of the United Nations Decade of International Law those relating to the programme of action and to coordinate with the Governments of the Netherlands and the Russian Federation his efforts with regard to the closing of the United Nations Decade of International Law;

6. *Invites* the Secretary-General to consider any activities to promote the outcome of the United Nations Decade of International Law, including the possibility of the releasing by the United Nations of a set of jubilee postage stamps and post cards in commemoration of the centennial of the first International Peace Conference;

7. *Decides* to consider in the plenary meeting at its fifty-fourth session dedicated to the closing of the Decade of International Law the outcome of the actions dedicated to the 1999 centennial of the first International Peace Conference and to the closing of the United Nations Decade of International Law (the third Peace Conference);

8. *Decides* to include in the provisional agenda of its fifty-fourth session, under the item entitled "United Nations Decade of International Law", a sub-item entitled "Outcome of the action dedicated to the 1999 centennial of the first International Peace Conference".



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**Fifty-third session
Sixth Committee**

Agenda item 152

Report of the Committee on Relations with the Host Country

**Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Honduras and
Spain: draft resolution**

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,¹

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,² and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,³ and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

Taking into account the increase in the profound interest and concern of many Member States in the work of the Committee,

Noting that the Committee reviewed, in accordance with the request contained in General Assembly resolution 52/159 of 15 December 1997, its membership and composition with the full participation of observers,

I. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 50 of its report;¹

¹ Official Records of the General Assembly, Fifty-third Session, Supplement No. 26 (A/53/26)

² Resolution 22 A (I)

³ See resolution 169 (II)



2. *Endorses* the recommendation of the Committee that its membership be increased by four new members, including one each from the African, Asian, Latin American and Caribbean and Eastern European regional groups, to be chosen by the President of the General Assembly, in accordance with resolution 2819 (XXVI) of 15 December 1971, in consultation with the regional groups;

3. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions;

4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

5. *Notes* that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, and requests the host country to consider removing such travel control, and in this regard notes the positions of affected States, of the Secretary-General and of the host country;

6. *Requests* the host country to continue to take steps to resolve the problem relating to the parking of diplomatic vehicles in a fair, balanced and non-discriminatory way, with a view to responding to the growing needs of the diplomatic community, and to continue to consult with the Committee on this important issue;

7. *Welcomes* the efforts of the Committee aimed at identifying affordable health-care programmes for the diplomatic community;

8. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

9. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

10. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".



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Fifty-third session

Agenda item 149 (c)

United Nations Decade of International Law: draft guiding principles for international negotiations

Draft resolution proposed by the Chairperson of the Working Group on the United Nations Decade of International Law

Draft principles and guidelines for international negotiations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations,

Reaffirming the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and of the Manila Declaration on the Peaceful Settlement of International Disputes,

Taking into account the objectives of the United Nations Decade of International Law,

Considering that international negotiations constitute a flexible and effective means for, among other things, the peaceful settlement of disputes among States and for the creation of new international norms of conduct,

Bearing in mind that in their negotiations States should be guided by the relevant principles and rules of international law,

Conscious of the existence of different means of peaceful settlement of disputes, as enshrined in the Charter of the United Nations and recognized by international law, and reaffirming in this context the right of free choice of those means,

Bearing in mind also the important role that constructive and effective negotiations can play in attaining the purposes of the Charter of the United Nations by contributing to the management of international relations, the peaceful settlement of disputes and the creation of new international norms of conduct of States,

Noting that the identification of principles and guidelines of relevance to international negotiations could contribute to enhancing the predictability of negotiating parties, reducing uncertainty and promoting an atmosphere of trust at negotiations,



Recognizing that the following could offer a general frame of reference for negotiations,

1. *Reaffirms* the following principles of international law which are of relevance to international negotiations:

(a) Sovereign equality of all States, notwithstanding differences of an economic, social, political or other nature;

(b) States have the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations;

(c) States have the duty to fulfil in good faith their obligations under international law;

(d) States have the duty to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(e) Any agreement is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter of the United Nations;

(f) States have the duty to cooperate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in order to maintain international peace and security and to promote international economic stability and progress, the general welfare of nations and international cooperation free from discrimination based on such differences;

(g) States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered;

2. *Affirms* the importance of conducting negotiations in accordance with international law in a manner compatible with and conducive to the achievement of the stated objective of negotiations and in line with the following guidelines in international negotiations:

(a) Negotiations should be conducted in good faith;

(b) States should take due account of the importance of engaging, in an appropriate manner, in international negotiations the States whose vital interests are directly affected by the matters in question;

(c) The purpose and object of all negotiations must be fully compatible with the principles and norms of international law, including the provisions of the Charter of the United Nations;

(d) States should adhere to the mutually agreed framework for conducting negotiations;

(e) States should endeavour to maintain a constructive atmosphere during negotiations, and to refrain from any conduct which might undermine the negotiations and their progress;

(f) States should facilitate the pursuit or conclusion of negotiations by remaining focused throughout on the main objectives of such negotiations;

(g) States should use their best endeavours to continue to work towards a mutually acceptable and just solution in the event of an impasse in negotiations.



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Sixth Committee
Agenda item 153
Establishment of an international criminal court

Establishment of an international criminal court: programme budget implications of draft resolution A/C.6/53/L.9

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Request contained in draft resolution A/C.6/53/L.9

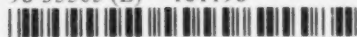
1. By operative paragraphs 4 and 5 of draft resolution A/C.6/53/L.9 on the establishment of an international criminal court, the General Assembly would:

(a) Request the Secretary-General to convene the Preparatory Commission to meet, in accordance with resolution F adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, in order to perform the mandate of that resolution, and in that connection to discuss ways to enhance the effectiveness and acceptance of the court, in February 1999 (two weeks), July/August 1999 (three weeks) and November/December 1999 (three weeks);

(b) Request the Secretary-General to make available to the Preparatory Commission secretariat services, including the preparation of working documents if so requested by the Preparatory Commission, to enable it to perform its functions.

B. Relationship of the proposed requests to the medium-term plan for the period 1998–2001 and to the approved programme of work for the biennium 1998–1999

2. The above requests relate to subprogramme 4.3 (Progressive development and codification of international law) of programme 4 (Legal affairs) of the medium-term plan for the period 1998–2001, and section 6 (Legal affairs) of the programme budget for the biennium 1998–1999.



C. Activities by which the proposed requests would be implemented

3. Should the General Assembly decide to adopt draft resolution A/C.6/53/L.9, the Preparatory Commission for the International Criminal Court would be convened in accordance with resolution F referred to in paragraph 1 above. Furthermore, secretariat services would be made available as needed to enable the Preparatory Commission to perform its functions.

D. Modification required in the programme of work for the biennium 1998-1999

4. The activities called for in the draft resolution fall under paragraph 6.64(a), "Servicing of intergovernmental and expert bodies", of subprogramme 3 (Progressive development and codification of international law) of section 6 (Legal affairs) of the programme budget for the biennium 1998-1999. Modification would be required to include the substantive servicing of the Preparatory Commission, which should be cited under activities 6.64(a)(i), "Substantive servicing of meetings", and 6.64(a)(ii), "Parliamentary documentation", of the programme budget for the biennium 1998-1999 as follows:

6.64(a)(i)a.vi: Preparatory Commission for the International Criminal Court (3 sessions, 80 meetings);

6.64(a)(ii)c.vi: Preparatory Commission for the International Criminal Court. Pre-session and in-session documentation; working documents and draft reports of the Commission.

E. Requirements at full cost

5. The implementation of the requests contained in draft resolution A/C.6/53/L.9 would require a total resource provision of \$2,346,200. Of this amount, a portion would be absorbed within the programme budget approved for 1998-1999 and the remaining portion would require provisions under the programme budget for 1998-1999.

6. The requirements for the substantive servicing of the Commission are as follows:

General temporary assistance (\$368,800): Provisions would be required for two P-4 staff (24 work months) for conducting research, collecting information, preparing analyses and background papers on subjects mentioned in resolution F referred in paragraph 1 above, and servicing the Preparatory Commission. In addition, provision is included for temporary assistance of two General Service staff (24 work months) to provide secretarial services;

Consultants (\$110,000): Services of consultants would be required to carry out research and analytical work on legal issues and prepare background and working documents for sessions of the Commission in specialized areas of criminal law which are not addressed by staff in the Office of Legal Affairs, and also in areas referred in resolution F of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court. Accordingly, a provision has been included for services of consultants, who would be engaged for limited periods during 1999;

Travel (\$12,800): A provision has been included for the travel of staff for consultations and research in connection with the draft texts of various documents for the Preparatory Commission;

Overtime (\$24,800): In anticipation of the requirement of increased service when the Preparatory Commission is in session (8 weeks), a provision has been made for overtime;

Equipment (\$31,000): In order to provide the temporary staff with the necessary computer equipment, five computers, including monitors and printers would have to be procured. In addition, two laptop computers would be required for use by the staff who would be required to travel and by the consultants. Furthermore, in order to ensure that reports and other documents of the Commission are available in a timely manner, a high-speed photocopying machine dedicated to the work of the Preparatory Commission would have to be rented. Accordingly, a provision has been included for the procurement and/or rental of equipment;

General operating expenses (\$12,000): A provision has been included for the general operating expenses requirement, pertaining mainly to communications with members of the Bureau and capitals, and miscellaneous expenses.

7. Conference servicing costs, which are estimated on a full-cost basis at \$1,376,800, are based on the following assumptions:

(a) There would be three sessions in 1999, two of three-weeks' duration each and one of two-weeks' duration, with two meetings a day;

(b) Interpretation and translation services would be provided in all six official languages of the General Assembly;

(c) There would be 150 pages of pre-session, 60 pages of in-session and 32 pages of post-session documentation for each of the first two sessions, and 150 pages of pre-session, 40 pages of in-session and 32 pages of post-session documentation for the last session of the Preparatory Commission;

(d) Summary records would not be required.

F. Contingency fund

8. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the proposed programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

9. A portion of the total resource requirement would be absorbed within the approved programme budget for the biennium 1998-1999, since the following activities envisaged under subprogramme 3 (Progressive development and codification of international law) of section 6 (Legal affairs) were reduced:

(a) The Advisory Committee of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law decided to hold only one session instead of the two envisaged;

(b) The United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court was held for only 5 weeks instead of the anticipated 8 to 12 weeks;

(c) The international conference to consider the draft articles adopted by the International Law Commission on the Jurisdictional Immunity of States and their property will not be held during the current biennium.

10. The substantive servicing has therefore been substantially reduced and the requirement of documents that would have had to be prepared is less than originally planned.

G. Potential for absorption

11. In order to provide substantive secretariat services to the Preparatory Commission, use will be made, to the extent possible, of the existing resources of the Office of Legal Affairs to absorb some of the costs of substantive servicing. As mentioned above, a number of activities have been reduced or cancelled. Accordingly, it is assumed that, out of the total requirement of \$969,400 for substantive secretariat services, an estimated amount of \$410,000, corresponding to approximately 44 work months would be absorbed within resources approved for the biennium 1998-1999 under section 6 (Legal affairs), of the 1998-1999 programme budget.

12. In connection with conference-servicing requirements, the programme budget for 1998-1999 includes provision, not only for meetings already in the calendar of conferences but also for meetings to be added later by decisions of the General Assembly, provided that the number and distribution of meetings is consistent with the pattern in previous years. On this basis, it is not anticipated that additional resources will be required for conference servicing.

H. Action required from the General Assembly

13. Should the General Assembly adopt draft resolution A/C.6/53/L.9, a requirement of \$559,400 would arise under the proposed programme budget for 1998-1999. An amount of \$74,400 would also be required under "Staff assessment", to be offset by the same amount under "Income from staff assessment".



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Sixth Committee**

Agenda item 150

**Report of the International Law Commission on the work of its
fiftieth session**

Draft resolution

**Report of the International Law Commission on the work
of its fiftieth session**

The General Assembly,

Having considered the report of the International Law Commission on the work of its fiftieth session,¹

Emphasizing the importance of furthering the progressive development of international law and its codification as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations²

Emphasizing also the role of the International Law Commission in the fulfilment of the objectives of the United Nations Decade of International Law,

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission further to enhance their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

¹ Official Records of the General Assembly, Fifty-third Session, Supplement No 10 and corrigendum (A/53/10 and Corr.1).

² Resolution 2625 (XXV), annex.



Stressing the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report,

Wishing to enhance further the interaction between the Sixth Committee as a body of government representatives and the International Law Commission as a body of independent legal experts, with a view to improving the dialogue between the two organs,

Noting the holding of a split session of the International Law Commission in 1998,

1. *Takes note* of the report of the International Law Commission on the work of its fiftieth session,¹ and expresses its appreciation to the Commission for the work accomplished at that session, in particular for the completion of the first reading of draft articles on the prevention part of the topic of "International liability for injurious consequences arising out of acts not prohibited by international law";

2. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on all the specific issues identified in chapter III of its report, and invites them to submit comments and observations in writing by 1 January 2000 on the draft articles on international liability for injurious consequences arising out of acts not prohibited by international law (prevention of transboundary damage from hazardous activities);

3. *Recommends* that, taking into account the comments and observations of Governments, whether in writing or expressed orally in debates in the General Assembly, the International Law Commission should continue its work on the topics in its current programme;

4. *Welcomes* the valuable work done by the Commission on the topic of "International liability for injurious consequences arising out of acts not prohibited by international law", and requests the Commission, while continuing its work on prevention, to examine other issues arising out of the topic, taking into account comments by Governments made in writing or in the Sixth Committee, and to submit its recommendations on future work to be done on these issues to the Sixth Committee;

5. *Invites* Governments to submit the most relevant national legislation, decisions by domestic courts and State practice relevant to diplomatic protection in order to assist the International Law Commission in its future work on the topic of "Diplomatic protection";

6. *Takes note* of the consideration by the International Law Commission of its long-term programme of work and encourages the Commission to proceed with the selection of new topics for its next quinquennium;

7. *Welcomes with appreciation* the steps taken by the International Law Commission in relation to its internal matters as contained in paragraphs 543 and 544 of its report¹ and encourages it to continue enhancing its efficiency and productivity, taking into consideration the discussion held by the General Assembly at its fifty-third session;

8. *Endorses* the decision by the International Law Commission on the duration of its session in 1999 as presented in paragraph 562 of its report;¹

9. *Stresses* the desirability of enhancing dialogue between the International Law Commission and the Sixth Committee, and in this context requests the Commission to submit any recommendations to that effect;

10. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, those specific issues, if any, on which expressions of views by Governments, either in the Sixth Committee or in written form,

would be of particular interest in providing effective guidance for the Commission in its further work;

11. *Also requests* the International Law Commission to continue the implementation of article 16, paragraph (a), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation, and invites the Commission to update the Sixth Committee at the fifty-fourth session in this regard;

12. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the Commission and in formulating their comments and observations;

13. *Reaffirms* its previous decisions concerning the role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

14. *Takes note* of the inclusion of information about the work of the International Law Commission in its Web site;³

15. *Once again expresses the wish* that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and requests the Secretary-General to provide the seminars with adequate services, including interpretation, as required;

16. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the fifty-third session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

17. *Takes note with satisfaction* of the fiftieth anniversary of the International Law Commission, which was fittingly commemorated by a seminar in Geneva on 21 and 22 April 1998 and by other events;

18. *Recommends* that the debate on the report of the International Law Commission at the fifty-fourth session of the General Assembly commence on 25 October 1999.

³ The Internet address is as follows: <http://www.un.org/law/ilc/index.htm>.



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Fifty-third session
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Agenda item 146

Status of the Protocols Additional to the Geneva Conventions of 1949
and relating to the protection of victims of armed conflicts

Angola, Argentina, Australia, Austria, Belgium, Canada, Croatia, Denmark, Fiji, Finland, Germany, Greece, Iceland, Ireland, Italy, Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine: draft resolution

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990, 47/30 of 25 November 1992, 49/48 of 9 December 1994 and 51/155 of 16 December 1996,

Having considered the report of the Secretary-General¹ on the status of the Protocols Additional to the Geneva Conventions of 1949² and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the possibility of making use of the International Fact-Finding Commission in relation to an armed conflict, pursuant to article 90 of Protocol I, and recalling that the

¹ A/53/287.

² United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

³ *Ibid.*, vol. 75, Nos. 970-973.



International Fact-Finding Commission may, where necessary, facilitate, through its good offices, the restoration of an attitude of respect for the Conventions and the Protocol.

Stressing the need for consolidating the existing body of international humanitarian law through its universal acceptance and the need for wide dissemination and full implementation of such law at the national level,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of international humanitarian law, in particular the Geneva Conventions and the two additional Protocols,

Noting that the Twenty-sixth International Conference of the Red Cross and Red Crescent endorsed the recommendation of the Intergovernmental Group of Experts on the Protection of War Victims, including that the depositary of the Geneva Conventions of 1949 should organize periodic meetings of States parties to the Conventions to consider general problems regarding the application of international humanitarian law,

Acknowledging the fact that the Rome Statute of the International Criminal Court, adopted on 17 July 1998, includes the most serious crimes of international concern under international humanitarian law, and that the Statute, while recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for such crimes, shows the international community's determination to put an end to impunity for the perpetrators of such crimes and thus to contribute to their prevention,

Noting the analytical report of the Secretary-General on fundamental standards of humanity submitted to the Commission on Human Rights at its fifty-fourth session,

Noting that international humanitarian law has been an important topic during the United Nations Decade of International Law, which will come to a close in 1999, fifty years after the adoption of the Geneva Conventions, and that the importance of this body of law will be highlighted in the context of the celebration in 1999 at The Hague and in St. Petersburg of the centennial of the first International Peace Conference,

1. *Appreciates* the virtually universal acceptance of the Geneva Conventions of 1949,³ and notes the trend towards a similarly wide acceptance of the two additional Protocols of 1977;²

2. *Appeals* to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties to the additional Protocols at the earliest possible date;

3. *Calls upon* all States that are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol;

4. *Calls upon* all States parties to the additional Protocols to ensure their wide dissemination and full implementation;

5. *Affirms* the necessity of making the implementation of international humanitarian law more effective;

6. *Welcomes* the activities of the Advisory Service of the International Committee of the Red Cross in supporting efforts undertaken by Member States to take legislative and administrative action to implement international humanitarian law and in promoting the exchange of information on those efforts between Governments;

7. *Welcomes* the holding in January 1998 of the first periodic meeting on the application of international humanitarian law;

8. *Notes* the holding in October 1998 of the Meeting of Experts on General Problems of the Implementation of the Fourth Geneva Convention;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fifth session a report on the status of the additional Protocols, as well as measures taken to strengthen the existing body of international humanitarian law, *inter alia*, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross;

10. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".